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THE MANITOBA HUMAN RIGHTS COMMISSION
LA COMMISSION DES DROITS DE LA PERSONNE DU MANITOBA

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Equality of Opportunity and Freedom from Discrimination

Commission's executive director wins government leadership award

Executive Director Dianna Scarth (Centre) displays her Manitoba Service Excellence Award for Leaderhsip with the two employees who nominated her, Human Rights Officer Susan Joanis (left) and Legal Counsel Sarah Lugtig (right).

Those who work with her, say that Dianna Scarth, the executive director of the Manitoba Human Rights Commission, has an air of grace and calm and retains her sense of humour in spite of the many and constant demands placed upon her. Earlier this month, those qualities were recognized.

Dianna was the recipient of the Manitoba Government's Service Excellence Awards for Leadership.

Human Rights Officer Susan Joanis, who nominated Dianna, says that the staff at the Commission sees her as the unifying force in their workplace, and adds that Dianna is committed to diversity, innovation and the ongoing development of effective social change.

The Commission's Legal Counsel Sarah Lugtig was the second nominator and says that under Dianna's leadership, the Commission is now recognized across Canada as a model human rights agency. For example, Sarah refers to some of Dianna's innovative approaches to complaint resolution through an enhanced mediation service, which is available at all stages of the complaint process, including before a complainant even files a complaint. This approach is now followed by Commissions across the country.

Dianna's effectiveness, in no small part, is based on her background as a social worker and lawyer. This experience has provided her with a unique combination of communication, interpersonal and facilitation skills, social justice values, and the ability to deal with complex legal concepts and processes. As a result, she is uniquely able to bridge, interpret and translate across the many different sectors involved in human rights work.

The staff congratulates Dianna on her Leadership Award.

The Rights Connection
by Jerry Woods - Chairperson
A Profound Example of Systemic Racism

June 11, 2008 was an emotional day not only in Parliament but also in cities, towns, communities and reserves across Canada. On that day, Prime Minister Stephen Harper delivered an historic speech to Aboriginal people. He apologized and asked for forgiveness for failing to protect children from a government policy. He was talking about the Residential School System, which resulted in removing Aboriginal children from their families with the misguided idea of assimilating them into Canadian society.

The residential schools policy, proudly promoted by the government of the time, had two primary objectives – to remove children from the influence of their home, families and traditions, and to assimilate them into the dominant culture. The Prime Minister admitted the assumption, during that time, was that the culture and spiritual belief of the First Nations, Inuit and Métis people was inferior.

For those who have never understood the concept of systemic racism, the Residential School System is a profound example. Systemic discrimination occurs when policies or practices, unreasonably discriminate against groups of people, which are protected under human rights legislation, even if unintentional.

The face of discrimination has changed over the years and we now recognize the impact of systemic discrimination and the challenges in finding solutions. Resolution not only involves more research, it also requires education and a change in attitude on the part of those involved. As well, the parties need to understand the intricacy of the systemic nature of many discriminatory actions, or lack of action.

During this historic apology, the Prime Minister said that there was no place in Canada for the attitudes that inspired and maintained the residential school system, and the government would not allow these attitudes to prevail again.

The systemic nature of the Residential School System and its long lasting affects on generations of Aboriginal people is the horror side of a lesson learned. Systemic discrimination, however, still exists. It is time to recognize that some attitudes, policies and practices concerning disabled people, religions, gender, sexual orientation, age, and race continue to mirror the same assumptions that resulted in this dark chapter in Canadian history.

Human Rights Officer joins The Pas office

The Pas Office of the Manitoba Human Rights Commission is once again at full staff. Marjorie Nabess began work as a human rights officer on May 5. She will be traveling throughout the North doing human rights education and community outreach activities. She also will be involved in the planning future Northern youth conferences. Currently Marjorie is establishing new relationships with various groups and organizations. She can be contacted at The Pas Office.

Commission staff recognized for loyal service

The Commission would like to congratulate three of its staff for receiving recognition from the Government of Manitoba for years of loyal service. Intake officers Lorraine Lambert (left) has worked for the government for 25 years, as has Lora Wachtendorf (right). Human rights officer Simon Gillingham (centre), who is an investigator, has worked for the Government for 30 years.

Canadian Human Rights Commission applauds extension of rights laws to First Nations

The Canadian Human Rights Commission (CHRC) is celebrating the Royal Assent of Bill C-21 which extends human rights protection to First Nations peoples living under the Indian Act. This Bill repeals section 67 of the Canadian Human Rights Act which denied full access to human rights law under the Act to First Nations peoples.

"After more than 30 years, First Nations peoples in Canada finally have access to the same level of fundamental human rights protection that most Canadians take for granted. The passage of this bill is a milestone in the development of human rights law in Canada," said CHRC Chief Commissioner Jennifer Lynch, Q.C.

Effective immediately, the Canadian Commission can accept complaints against the federal government dealing with the Indian Act that were previously exempted because of section 67. The bill provides for a three-year transition period before complaints can be received against First Nations governing authorities.

The Canadian Commission has entered into discussions with key national Aboriginal organizations to plan for implementation. "The Commission looks forward to working closely with Aboriginal organizations to build a human rights system that reflects and respects Aboriginal peoples' cultures and traditional laws," Ms. Lynch said.

Enforcement mechanism approved for the United Nations Covenant on Economic Social and Cultural Rights

A decision on June 18, 2008 by the United Nations Human Rights Council brings the possibility of an international remedy mechanism for violations of the International Covenant on Economic, Social and Cultural Rights (ICESCR) one step closer.

The Optional Protocol is the result of several decades of work by governments, civil society, experts and the UN human rights organizations to fix a long-term gap in human rights protection under the international system. The ICESCR is among the only major human rights treaties to lack a petition mechanism. An inter-governmental Working Group has deliberated on the scope and content of the draft Optional Protocol since 2004.

The UN High Commissioner for Human Rights Louise Arbour congratulated the Human Rights Council on its efforts to strengthen the protection of economic, social and cultural rights.

"This is a highly significant achievement", she said. "The Protocol will provide an important platform to expose abuses that are often linked to poverty, discrimination and neglect, and that victims frequently endure in silence and helplessness. It will provide a way for individuals, who may otherwise be isolated and powerless, to make the international community aware of their situation."

The Protocol will allow persons to petition an international human rights body about violations of rights guaranteed in the International Covenant on Economic, Social and Cultural Rights. Adopted by the Human Rights Council on 18 June, the Protocol is expected to get the final approval by the United Nations General Assembly later this year. Once ratified by ten states the Protocol will be enforced.

Further information on the Optional Protocol is available at: http://www.opicescr-coalition.org/